IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

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PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 16492 of 2004

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Between:

Akula Satyanarayana S/o Muthaiah
R/o Pothur, Ellanthakunta Mandal, Karimnagar District

..... PETITIONER

AND

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1 The Government of Andhra Pradesh rep by Secretary,

Industries and Commerce Department, Hyderabad.
2 The District Level Committee, rep by chairperson,

Karimnagar district.
3 The District Panchayat Officer, Karimnagar District
4 The Asst. Director of Mines and Geology, Karimnagar,

Karimngar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or Writ one in the nature of Writ of Mandamus, declaring the action of the respondents in not considering the case of the petitioner, for grant of time for lifting of the estimated sand 51,880 cubic meters from the patta lands in Pothur Village, Ellanthakuntal Mandal, karimnagar District, as arbitrary illegal, unjust and unconstitutional.

Counsel for the Petitioner: SMT.N.SHOBA

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT

The Court at the admission stage made the following :

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for

Panchayat Raj and Rural Development. Both have no objection for disposal of the writ petition at the admission stage.

Petitioner, who was permitted to lift the sand stored in the private land, in the light of the inspection report submitted by the Mandal Surveyor and as per the resolution dated 17-8-2004 passed by the District Level Committee. Since the entire period for lifting the sand restricted from 1-9-2004 to 30-9-2004, petitioner made a representation to the respondents on the same day i.e. 1-9-2004 stating that the time granted for lifting of sand is not sufficient and for extension of the same and filed the present writ petition to declare the action of the respondents in not considering the case of the petitioner for grant of time as arbitrary and illegal.

Whether the petitioner can be able to lift the sand or not can only be decided after 30-9-2004. If the petitioner is not in a position to lift the sand the respondent shall consider the representation of the petitioner submitted on 1-9-2004 after due instructions and pass appropriate orders in accordance with law.

With the above observation, the Writ Petition is disposed of at the admission stage.

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A. Gopal Reddy, J.

15th September, 2004.

Js.

ASSISTANT REGISTRAR

To

1 The Secretary, Government of Andhra Pradesh,

Industries and Commerce Department, Hyderabad.

2 The Chairperson, District Level Committee,

Karimnagar district.

3 The District Panchayat Officer, Karimnagar District
4 The Asst. Director of Mines and Geology, Karimnagar,

Karimngar District.

5 2 CCs to G.P. for Panchayat Raj and Rural Development, High

Court Buildings, Hyderabad (OUT).

6 2 CD copies.